

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

UNITED STATES OF AMERICA,)	
)	
v.)	Docket No. 2:20-mj-46-1
)	
ALAA ABDULSALAM ARIF,)	
Defendant)	

**JOINT MOTION TO EXTEND TIME FOR
THE RETURN AND FILING OF AN INDICTMENT**

NOW COMES the United States of America, by and through its attorney, Christina E. Nolan, United States Attorney for the District of Vermont, and the defendant ALAA ABDULSALAM ARIF, by and through his attorney Jason Sawyer, Esq., and jointly move to extend the time for the return and filing of an indictment by an additional one hundred and eighty (180) days.

Under the Speedy Trial Act, an “information or indictment charging an individual with the commission of an offense shall be filed within thirty days from the date on which such individual was arrested” 18 U.S.C. § 3161(b). The thirty-day clock may be tolled for periods of excludable delay enumerated in the Speedy Trial Act. 18 U.S.C. § 3161(h). Among those periods of excludable delay, the court may toll the thirty-day clock during “[a]ny period of delay during which prosecution is deferred by the attorney for the Government pursuant to written agreement with the defendant, with approval of the court, for the purpose of allowing the defendant to demonstrate his good conduct.” 18 U.S.C. § 3161(h)(2).

The defendant and the United States have conferred about the case and the circumstances of the charge in the criminal complaint. The defendant is currently on pretrial release subject to

conditions of supervision, and the United States is unaware of any violations of those conditions during the pendency of the case. Provided the defendant continues to fulfill the conditions of his pretrial release, and provided no further information about the circumstances underlying the charged conduct comes to the attention of the United States, the parties anticipate resolving the case without further proceedings at the conclusion of the extended period for indictment. The parties request that this joint filing be considered a written agreement within the scope of Title 18, United States Code, Section 3161(h)(2).

The criminal complaint charging the defendant in this case was filed on April 15, 2020, and the defendant made his initial appearance via telephone on June 3, 2020. Pursuant to unopposed motions of the United States, to which the defendant stipulated, the period for indictment was previously extended twice by the Court—by thirty days in each iteration. Presently, an indictment would therefore be due on August 24, 2020. The parties now seek to extend that period by six months (180 days), such that the filing of an information or indictment would be due by February 20, 2021.

For the foregoing reasons, the parties respectfully request that the Court, in the interests of justice, extend the time for the return and filing of an indictment by one hundred and eighty days from the date on which an indictment would currently be due, pursuant to 18 U.S.C. § 3161(h)(2).

Dated at Burlington, in the District of Vermont, on August 18, 2020.

Respectfully submitted,

UNITED STATES OF AMERICA

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